

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

DANIEL THOMAS OAKIE,

Petitioner,

Case Number: 06-CV-12587

v.

HONORABLE PAUL D. BORMAN

LINDA METRISH,

Respondent.

**ORDER GRANTING IN PART PETITIONER'S REQUEST FOR IMMEDIATE
CONSIDERATION AND SETTING NEW RESPONSIVE PLEADING DEADLINE**

Petitioner Daniel Thomas Oakie has filed a *pro se* petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, challenging his conviction for a parole violation. The Court has issued an Order Requiring Responsive Pleading, which requires Respondent to file an answer by December 19, 2006. Now before the Court is Petitioner's Request for Immediate Consideration, in which Petitioner asks the Court to expedite its consideration of his petition because Petitioner is expected to be unconditionally released by September 21, 2006.

It appears that Petitioner's maximum discharge date is September 21, 2006. *See* Michigan Department of Corrections' Offender Tracking Information System.¹ Therefore, the Court shall require the Respondent to file a responsive pleading by September 19, 2006.

The Court **GRANTS IN PART** Petitioner's Motion for Immediate Consideration and **ORDERS** Respondent to file an answer responding to the allegations of the petition in

¹ The Court is permitted to take judicial notice of the information contained in the Offender Tracking Information System. *See Ward v. Wolfenbarger*, 323 F. Supp. 2d 818, 821 n.3 (E.D. Mich. 2004).

accordance with Rule 5, Rules Governing Section 2254 Cases, by **September 19, 2006**. Once the Court has received Respondent's Answer the Court will rule upon the petition in a timely manner.

s/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: September 6, 2006

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on September 6, 2006.

s/Denise Goodine
Case Manager